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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/775,221

02/11/2004

Tetsuya Sawano

0649-0950P

9994

2292 7590 02/27/2007  
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EXAMINER

FUJITA, KATRINA R

ART UNIT

PAPER NUMBER

2609

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
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3 MONTHS

02/27/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 02/27/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

## Office Action Summary

Application No.

10/775,221

Applicant(s)

SAWANO, TETSUYA

Examiner

Katrina Fujita

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 02/11/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Oath/Declaration***

2. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It does not identify the citizenship of each inventor.

### ***Specification***

3. The disclosure is objected to because of the following informalities:

At page 12, line 8, "be accumulate stored" should be --be stored--.

At page 12, line 17, "en example" should be --an example--.

At page 12, line 25, "server 11 receive" should be --server 11 receives--.

At page 14, line 6, "an halt" should be --a halt--.

At page 18, line 3, "reward are" should be --rewards are--.

These appear to be typographical errors.

Appropriate correction is required.

### ***Claim Suggestions***

4. In line 3 of claims 4, 6, 11 and 13, "a charge" should be replaced with --of compensation--.

### ***Claim Objections***

5. Claim 2 is objected to because of the following informalities:

At line 8, "through network" should be --through a network--.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claims 1, 4, 5, 8, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ratcliff, III (US 2002/0198769).

Ratcliff discloses a data processing server ("data 140 to be processed are provided to an originating server" at paragraph 0021, line 1; figure 3, numeral 210) comprising:

a data processor ("data processing apparatus 400 that can be incorporated as part of both the data processing devices in which processors 105-130 are situated and/or the servers" at paragraph 0045, line 1; figure 4, numeral 405, which is equivalent to applicant's disclosed image processing portion) for processing data received from a terminal device ("originating server 210 distributes the algorithm portions and/or data to one or more of the processors" at paragraph 0022, line 1) by utilizing grid computing ("plurality of the processors" at paragraph 0022, line 5; figure 3, numerals 105, 110, 115, 120, 125 and 130) and

reward information producing processor (figure 3, numeral 320; figure 4, numeral 405, which is equivalent to applicant's disclosed reward information producing portion) for producing reward information ("reward signal includes information identifying the processor which delivered the result" at paragraph 0040, line 7) to give a reward of a charge to an owner of a computer ("reward server 320 provides a reward to a recipient 325 associated with a particular processor" at paragraph 0039, line 1; "several reward options such as weekly/monthly payments, hourly payments, a flat fee, etc" at paragraph 0041, line 9), in response to an amount of data processed by the computer that executes the processing of the data ("reward signal includes information

identifying...the amount of processing time expired. In this way, an appropriate reward can be provided to recipient" at paragraph 0040, line 7), out of computers that constitute the grid computing (figure 3, numeral 105).

Ratcliff does not explicitly teach image data being received from the terminal device.

It would have been obvious at the time the invention was made to one of ordinary skill in the art to use the data processing server as taught by Ratcliff to process image data, since image data is a type of data.

8. Claims 2, 3, 6, 7, 9, 10, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Ratcliff and Barritt et al. (US 2002/0124065).

Regarding **claims 2 and 9**, Ratcliff discloses a data processing server comprising:

an identifying processor (figure 4, numeral 405, which is equivalent to applicant's disclosed identifying portion) for identifying a computer owned by an owner of a terminal device based on a database storage of identification information to identify a computer ("The identification is achieved, for instance, by accessing a database in which various recipients are associated with particular processors" at paragraph 0040, line 15), which is connected to the processing server through a network ("the originating server 210 distributes the algorithm portions and/or data to one or more of the processors 105-130 over the data network" at paragraph 0022, line 1), for executing the processing of data in response to an instruction by the processing server ("originating server 210 monitors

the particular data and/or algorithms distributed to the various processors” at paragraph 0028, line 1; “The algorithms and data are spread across multiple processors and processed” at paragraph 0030, line 1) and identification information to identify a terminal device which sends data (“listing of thousands or millions of processor identification numbers with data network addresses such as IP addresses for data processing devices “ at paragraph 0028, line 13) and

an instructing processor (figure 4, numeral 405, which is equivalent to applicant’s disclosed image processing instructing portion) for providing the computer identified by the identifying processor with an instruction to execute the processing of data (see paragraph above).

Ratcliff does not teach identifying a mobile terminal device and correlating that device with computer owner information.

Barritt discloses a system for mobile computing wherein a mobile terminal device (“Mobile devices may for example be in the form of mobile telephones” at paragraph 0055, line 1) is identified and correlated to its owner using a data processing server (“mobile devices 200 communicate with the central web application server” at paragraph 0056, line 1; “web application server 100 has access to a subscriber database 150 which comprises information about the hardware and software capabilities, configuration and user data relating to individual subscriber mobile devices” at paragraph 0059, line 1).

It would have been obvious at the time the invention was made to one of ordinary skill in the art to modify the memory of Ratcliff using the program code taught by Barritt

as described above, to "provide a system which can be operated using any type of commercially available mobile computing hardware without customisation" (Barritt at paragraph 0005, line 1).

Regarding **claims 3 and 10**, Ratcliff teaches the elements as described in the 103 rejection of claims 1 and 8 above.

Regarding **claims 6 and 13**, Ratcliff teaches the elements as described in the 103 rejection of claims 4 and 11 above.

Regarding **claims 7 and 14**, Ratcliff teaches the elements as described in the 103 rejection of claims 5 and 12 above.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 7,043,255, US 2004/0190023, US 2004/0228528, and US 7,010,596 are each pertinent as teaching server systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katrina Fujita whose telephone number is (571) 270-1574. The examiner can normally be reached on M-Th 8-5:30pm, F 8-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian P. Werner can be reached on (571) 272-7401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

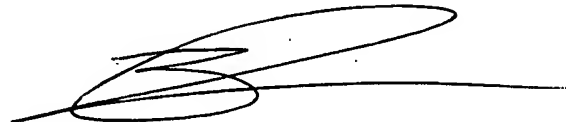


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Katrina Fujita  
Art Unit 2609



BRIAN WERNER  
SUPERVISORY PATENT EXAMINER